

#171  
Response  
10/29/01

35.C10048 CI

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re CPA Application of: )  
Hitoshi SUGIMOTO, et al. ) : Examiner: C. Hallacher  
Appln. No.: 08/811,234 ) : Group Art Unit: 2853  
Filed: March 3, 1997 ) :  
For: INK-JET RECORDING ) :  
APPARATUS AND INK-JET ) :  
RECORDING METHOD USING ) :  
INKS OF DIFFERENT ) : October 22, 2001  
DENSITIES, AND RECORDED ) :  
ARTICLES ) :

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OCT 22 2001

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Director, The Commissioner for Patents  
**BOX CPA**  
Washington, D.C. 20231

PRELIMINARY REMARKS

Sir:

Preliminary to examination, Applicants respectfully  
submit the following remarks in the above-referenced  
Continued Prosecution Application.

REMARKS

Reconsideration and allowance of this application  
are respectfully requested.

Claims 1, 4-14, 17-22, 25-30, 33-35 and 37-84 are pending in this application, with Claims 1, 14, 21, 30, 37, 53, 61, 63 and 74 being independent. Claims 1, 4-14, 17-22, 25-30, 33-35 and 63-84 are allowed, and Claims 40-52 and 62 are objected to, but have been indicated as containing allowable subject matter. Accordingly, Claims 37, 39, 53 and 55-61 are the rejected claims, of which Claims 37, 53 and 61 are independent.

Applicants thank the Examiner for the courtesy of the personal interview that was conducted on October 3, 2001. In the interview, the Examiner agreed that the rejected claims would be allowable if independent Claims 37, 53 and 61 were amended to include the features set forth in Claims 40 and 62. The Examiner also noted that the Section 103 rejection of the rejected claims could be based just on Matsumoto et al. (U.S. Patent No. 4,860,026) and Sekiya (JP 1-242256); the Sugimoto et al. (U.S. Patent No. 5,477,248) reference was not needed in the rejection.

In Applicants' view, independent Claims 37, 53 and 61 are patentable as currently presented.

Allowable Claims 40 and 62 recite that the plural inks having different dye densities have different penetrabilities. This is one embodiment of the invention, but in Applicants' view, it is not a basic feature of the invention.

Matsumoto, et al. discloses a series of color inks having different densities in the same color series. Sekiya discloses an ink-containing member provided with a plurality of chambers. Applicants submit, however, that Sekiya does not teach or suggest anything about which ink is stored in each of the plurality of chambers. Accordingly, in Applicants' view, the claimed invention would not have been obvious from Sekiya and Matsumoto, et al.

Applicants' position is that rejected Claims 37, 53 and 61 recite, in an arrangement provided with a plurality of ink containers for containing a plurality of inks, which ink is contained in each of a plurality of ink containers and which different inks are contained in a single container -- but neither Matsumoto, et al. nor Sekiya discloses how the inks having different colors and inks having different

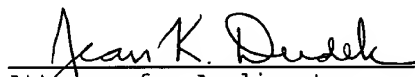
densities are divided and contained in a plurality of ink containers.

Accordingly, Applicants conclude that Matsumoto, et al. and Sekiya do not teach or suggest the features of Claims 37, 53 and 61, either singly or in combination. The rejected dependent claims are allowable for the reasons given with respect to their respective independent claims and because they recite features that are patentable in their own right. Individual consideration of each dependent claim is respectfully solicited.

Applicants request withdrawal of all outstanding rejections, and submit that the application is in condition for allowance.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,

  
Attorney for Applicants  
Jean K. Dudek  
Registration No. 30,938

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In re CPA Application of:

Docket No. 35.C10048 CI

HITOSHI SUGIMOTO, ET AL.

Application No.: 08/811,234

Examiner: C. Hallacher

Filed: March 3, 1997

Group Art Unit: 2853

For: INK-JET RECORDING APPARATUS  
AND INK-JET RECORDING METHOD  
USING INKS OF DIFFERENT  
DENSITIES, AND RECORDED ARTICLES

Date: October 22, 2001

Director, the Commissioner for Patents  
**BOX CPA**  
Washington, D.C. 20231

Sir:

Transmitted herewith are Preliminary Remarks in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below

CLAIMS AS AMENDED						
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL CLAIMS	73	MINUS	73	= 0	x \$9 \$18	\$ 0.00
INDEP. CLAIMS	9	MINUS	9	= 0	x \$42 \$84	\$ 0.00
Fee for Multiple Dependent claims \$140°/\$280						
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT---						\$ 0.00

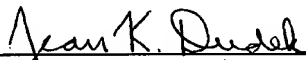
☐ °Verified Statement claiming small entity status is enclosed, if not filed previously.

☐ A check in the amount of \$\_\_\_\_\_ is enclosed.

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- ☐ Charge \$\_\_\_\_\_ to Deposit Account No. 06-1205. A duplicate copy of this sheet is enclosed.
- ☒ Any prior general authorization to charge an issue fee under 37 C.F.R. 1.18 to Deposit Account No. 06-1205 is hereby revoked. The Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 and 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 06-1205. A duplicate copy of this paper is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the fee for a \_\_\_\_\_ month extension is enclosed.
- ☐ A check in the amount of \$\_\_\_\_\_ to cover the Information Disclosure Statement fee is enclosed.
- ☒ Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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